

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

CRAFTON CONTRACTING COMPANY )	No. ED102910
and VOGEL SHEET METAL & HEATING,) )	
INC., )	
Appellants, )	Appeal from the Circuit Court of
vs. )	St. Louis County, Missouri
SWENSON CONSTRUCTION )	13SL-CC03881
COMPANY, INC., ALLEN EDMONDS )	Honorable Steven H. Goldman
CORPORATION, and PLAZA )	
FRONTENAC ACQUISITION, LLC, )	
Respondents. )	Filed: April 12, 2016

Crafton Contracting Company (“Crafton”) and Vogel Sheet Metal and Heating, Inc. (“Vogel”) appeal the trial court’s judgment denying enforcement of the mechanic’s liens they placed on the Plaza Frontenac shopping mall against its owner, Plaza Frontenac Acquisition, LLC (“Plaza Frontenac”). Because we find that the court erroneously declared and applied the law, we reverse and remand.

REVERSED AND REMANDED.

DIVISION THREE HOLDS: The trial court erred by strictly construing the mechanic’s lien statute because under Missouri law the statute is to be construed favorably to uphold the rights of laborers and materialmen. This led to an erroneous interpretation of the mechanic’s lien statute, and the trial court erroneously applied the law when it found that Allen Edmonds was not Plaza Frontenac’s agent under the mechanic’s lien statute. Further, the trial court misapplied the law on the question of whether Crafton and Vogel’s improvements were substantial and permanent by using a mathematical equation comparing the relative size and value of the improvements to the overall size and value of the owner’s property.

Opinion by: James M. Dowd, J.

Robert M. Clayton III, P.J., Lawrence E. Mooney, J. concur

Attorney for Appellants: Lester J. Hubble and Ira M. Potter

Attorney for Respondents: James S. Kreamer and John A. Watt

<p><b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</b></p>
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